

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2830
OFFERED BY MR. OBERSTAR OF MINNESOTA**

At the end of title III add the following new section:

1 **SEC. ____.** **DELEGATION OF AUTHORITY TO CLASSIFICA-**
2 **TION SOCIETIES REGARDING OFFSHORE FA-**
3 **CILITIES.**

4 Section 3316 of title 46, United States Code, is
5 amended by adding at the end the following new sub-
6 section:

7 “(d)(1) The Secretary may delegate to the American
8 Bureau of Shipping or another classification society recog-
9 nized by the Secretary as meeting acceptable standards
10 for such a society, for a United States offshore facility,
11 the authority to—

12 “(A) review and approve plans required for
13 issuing a certificate of inspection or certificate of
14 compliance; and

15 “(B) conduct inspections and examinations.

16 “(2) The Secretary may make a delegation under
17 paragraph (1) to a foreign classification society only if the
18 foreign classification society has offices and maintains
19 records in the United States and—

1 “(A) if the government of the foreign country
2 in which the society is headquartered delegates that
3 authority to the American Bureau of Shipping; or

4 “(B) to the extent the government of the for-
5 eign country accepts plan review, inspections, or ex-
6 aminations conducted by the American Bureau of
7 Shipping and provides equivalent access to inspect,
8 certify, and provide related services to offshore facili-
9 ties located in that country or operating under the
10 authority of that country.

11 “(3) When an inspection or examination has been del-
12 egated under this subsection, the Secretary’s delegate—

13 “(A) shall maintain in the United States com-
14 plete files of all information derived from or nec-
15 essarily connected with the inspection or examina-
16 tion for at least 2 years after the United States off-
17 shore facility ceases to be certified; and

18 “(B) shall permit access to those files at all
19 reasonable times to any officer, employee, or mem-
20 ber of the Coast Guard designated—

21 “(i) as a marine inspector and serving in
22 a position as a marine inspector; or

23 “(ii) in writing by the Secretary to have
24 access to those files.

25 “(4) For purposes of this section—

1 “(A) the term ‘offshore facility’ means any in-
2 stallation, structure, or other device (including any
3 vessel not documented under chapter 121 of this
4 title or the laws of another country) that is fixed or
5 floating, dynamically holds position or is temporarily
6 or permanently attached to the seabed or subsoil
7 under the sea, and is used for the purpose of explor-
8 ing for, developing, producing, or storing the re-
9 sources from that seabed or subsoil; and

10 “(B) the term ‘United States offshore facility’
11 means any offshore facility, fixed or floating, that
12 dynamically holds position or is temporarily or per-
13 manently attached to the seabed or subsoil under the
14 territorial sea of the United States or the outer Con-
15 tinental Shelf (as that term is defined in section 2
16 of the Outer Continental Shelf Lands Act (43
17 U.S.C. 1331)).”.